



U.S. Department of Ju

United States Attorney  
Southern District of Ne

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New York, New York 10007

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January 24, 2020

**By ECF**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *U.G., an infant, by his mother and natural guardian, Asseta Naneema, and Asseta Naneema, individually v. Sandy Lau Bui, D.O., et al.*, No. 20 Civ. 613 (AT)

Dear Judge Torres:

I represent the United States in the above-captioned action that was removed to federal court on January 23, 2020. The United States intends to move to substitute the United States as party for Defendant Sandy Lau Bui and to dismiss for failure to exhaust administrative remedies. However, the parties have discussed a partial or complete stipulation of dismissal that would obviate the need for motion practice.

Accordingly, I write to request that all deadlines be stayed for 30 days.<sup>1</sup> All parties consent to this request and this is the Government's first request for an extension.

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 81(c)(2)(C), the removing party's time to respond to the Complaint is 7 days after the notice of removal is filed. However, Defendant Bui in her individual capacity already answered the Complaint in state court, and it is accordingly unclear when the United States' time to move for substitution and to dismiss runs.

I thank the Court for its consideration.

Respectfully,

GEOFFREY S. BERMAN  
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Southern District of New York

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DENIED. It is ORDERED that the Government shall file any motion to substitute by **February 21, 2020**. The Court will address the time to file any motion to dismiss after ruling on the motion to substitute.

SO ORDERED.

Dated: January 30, 2020  
New York, New York

  
ANALISA TORRES  
United States District Judge